

SHER TREMONTE LLP


October 31, 2022

**BY ECF**

The Honorable Ronnie Abrams  
United States District Judge  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

Application granted. Defendants shall have until December 2, 2022 to file pretrial motions.

SO ORDERED.

  
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Ronnie Abrams, U.S.D.J.  
October 31, 2022

**Re: *United States v. Yoel Abraham, et al.*, 20-CR-411 (RA)**

Dear Judge Abrams:

We represent Yoel Abraham, a defendant in the above-referenced case. We write on behalf of all defendants to request an adjournment of the deadline for the defendants' pretrial motions opening brief, which is currently due November 9, 2022. As Your Honor knows, the motions depend, in part, on information obtained from Amazon in response to our subpoena, which the Court so-ordered in May. At the last conference, we advised that we would seek an affidavit or certification from Amazon that it did not have any further responsive documents to provide. Following that conference, we had discussions with Amazon's attorneys who indicated that they would speak to their client about the affidavit. We also discussed with Amazon's lawyers resolving certain factual inquiries we had to avoid litigation concerning its algorithm. That conversation took place in September and since that time, we have made numerous efforts to complete discussions with Amazon but have not received any response from its attorneys. Accordingly, on October 20, 2022, we sent Amazon a letter advising that we would deem its non-response as an indication that it had no further documents to provide and noting that we would move to compel a response to our request for its algorithm. We did not receive any response to this correspondence.

We have conferred amongst defense counsel<sup>1</sup> and plan to move forward with the motions. However, given the time that was spent attempting to engage Amazon, a relatively brief adjournment is needed to be able to complete our work on the motions. Accordingly, we respectfully request an adjournment from the current deadline to December 2, a little over three weeks from the current deadline, accounting for the Thanksgiving holidays. Because the Court built in additional time for the government to

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<sup>1</sup> Counsel for Zishe Abrama were engaged in a nine-week trial in the Eastern District of New York until the week before last, and counsel for Shmuel Abrama and Heshl Abraham, respectively, are currently on trial in separate matters.

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respond in light of the end-of-year holidays, we do not believe the response and reply deadline need be postponed, as the government will still have more than a month to file its opposition; however, should the government desire a short extension we would have no objection. We have contacted AUSA Jilan Kamal to determine the government's position on our request, but have not received a response.

Accordingly, we respectfully request that the Court adjourn the current deadline for the defendants' opening brief to December 2. We appreciate Your Honor's consideration.

/s/

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Justine A. Harris

Noam Biale

Maya Brodziak

CC: All counsel by ECF